

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

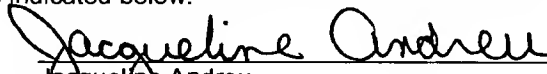
In re Application of: John G. Babish et al.  
Serial No.: 10/557,293  
Filed: November 18, 2005  
Title: Anti-Inflammatory Pharmaceutical Compositions for Reducing inflammation  
and the Treatment or Prevention of Gastric Toxicity  
Docket: 068911-0126  
Confirmation No.: 9021

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CERTIFICATE OF MAILING OR TRANSMISSION

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Date: May 1, 2007

  
Jacqueline Andreu

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TRANSMITTAL LETTER

Enclosed for filing in connection with the above-referenced patent application are the following documents:

- 1) Information Disclosure Statement (2 pages);
- 2) Information Disclosure Statement (Form PTO 1449) (5 pages);
- 3) References cited in IDS (Form PTO 1449) B1-B17 and C1-C57; and
- 4) Return Receipt Postcard.

The are no fees believed to be due with the filing of this Information Disclosure Statement. However, the commissioner is hereby authorized to charge any fees that may be required to our Deposit Account No. 50-1133.

Respectfully submitted,

Date: May 1, 2007



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**PATENT**  
**Customer No. 23630**  
**Attorney Docket No. 068911-0126**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

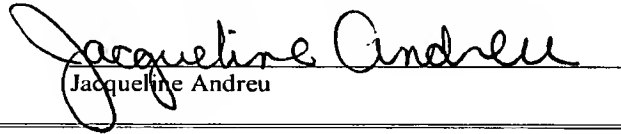
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Jacqueline Andreu

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)**

Applicants and their attorney are aware of the following publications and information, listed on the attached Form PTO-1449, and in accordance with 37 C.F.R. §§ 1.56 and 1.97(b) hereby submit these publications for the Examiner's consideration. According to the United States Patent and Trademark Office OG Notices: 05 August 2003, copies of cited U.S. patents and U.S. patent application publications are waived and not submitted with this Statement. . Enclosed are copies of foreign references B1-B17, and other references cited as C1-C57. This Statement is being filed before the receipt of a first Office Action on the merits for the above-referenced application.

This Statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands that the Examiner will make an independent evaluation of the cited publications.

Application Serial No. 10/557,293  
John G. Babish, et al.  
Filing Date: November 18, 2005

If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

No additional costs are believed to be due in connection with the filing of this disclosure. However, please charge any necessary fee to our Deposit Account No. 50-1133.

Respectfully submitted,

Dated: May 1, 2007

A handwritten signature in black ink, appearing to read 'Atabak Royae', is written over a horizontal line.

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<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>				<b>ATTY. DOCKET NO.</b> <b>068911.0126</b>		<b>SERIAL NO</b> <b>10/557,293</b>	
<b>(PTO-1449)</b>				<b>APPLICANT</b> <b>John G. Babish et al.</b>			
				<b>FILING DATE</b> <b>November 18, 2005</b>		<b>GROUP</b> <b>To be assigned</b>	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	A1	US	3,552,975	1/5/1971	Worden, et al.		
	A2	US	3,720,517	3/13/1973	Bavisotto, et al.		
	A3	US	3,932,603	6/13/1976	Haas		
	A4	US	3,933,919	1/20/1976	Wilkinson		
	A5	US	3,965,188	6/22/1976	Westermann, et al.		
	A6	US	4,123,561	10/31/1978	Grant		
	A7	US	4,133,903	1/9/1979	Thiele, et al.		
	A8	US	4,148,873	4/10/1979	Owades		
	A9	US	4,154,865	5/15/1979	Grant		
	A10	US	4,170,638	10/9/1979	Owades		
	A11	US	4,401,684	8/30/1983	Versluys		
	A12	US	4,473,551	9/25/1984	Schinitsky		
	A13	US	4,554,170	11/19/1985	Panzer, et al.		
	A14	US	4,644,084	2/18/1987	Cowles, et al.		
	A15	US	4,692,280	9/8/1987	Spinelli		
	A16	US	4,767,640	8/30/1998	Goldstein, et al.		
	A17	US	4,857,554	8/15/1989	Kallimanis		
	A18	US	5,006,337	4/9/1991	Motitschke, et al.		
	A19	US	5,013,571	5/7/1991	Hay		
	A20	US	5,073,396	12/17/1991	Todd, Jr.		
	A21	US	5,082,975	1/21/1992	Todd, Jr., et al.		
	A22	US	5,155,276	10/13/1992	Paul		
	A23	US	5,166,449	11/24/1992	Todd, Jr., et al.		
	A24	US	5,286,506	2/15/1994	Millis, et al.		
	A25	US	5,296,637	02/01/2000	Ting, et al.		
	A26	US	5,387,425	2/7/1995	Hsu, et al.		
	A27	US	5,604,263	2/18/1987	Tobe, et al.		
	A28	US	5,624,236	11/23/1993	Ogasahara, et al.		
	A29	US	5,641,517	6/24/1997	Eskeland, et al.		
	A30	US	5,827,895	10/27/1998	Nutter, et al.		
	A31	US	5,968,539	10/19/1999	Beerse et al.		
	A32	US	6,020,019	5/21/2002	Ting et al.		
	A33	US	6,129,907	2/1/2000	Sreenivasan, et al.		
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.



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FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number 4 - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
	B1	DE 19841615	3/16/2000	Mueller	Abstract		
	B2	DE 2212148	9/28/1972	GEN FOODS CORP	Abstract		
	B3	DE 3931147	3/28/1991	SO LONG NATURAL LTD	Abstract		
	B4	JP 07194351	8/1/1995	Nippon Zoki Pharm Co., Ltd.	Abstract		
	B5	JP 410025247	1/27/1998	ASAHI BREWERIES LTD	Abstract		
	B4	JP 10152428	6/9/1998	Kanebo Ltd	Abstract		
	B7	JP 9067245	3/11/1997	Ashai Breweries, Ltd.	Abstract		
	B8	JP 04202138	7/22/1992	Asahi Breweries Ltd	Abstract		
	B4	JP 6312924	11/8/1994	Asahi Breweries Ltd	Abstract		
	B10	JP 363211219	9/2/1988	TAIYO KORYO KK	Abstract		
	B11	JP 8073369	3/19/1996	Kubo M	Abstract		
	B12	RU 2045955	10/20/1995	Nikitina	Abstract		
	B13	SU 1247011	7/30/1986	SP K B KHIM N PROIZV OBEDINENI			
	B14	WO 00/68356	11/16/2000	Yakima Chief, Inc.			
	B15	WO00/74696	12/14/2000	OXFORD NATURAL PRODUCTS PLC			
	B16	WO02/02582	1/10/2002	Deutsches			
	B17	WO99/44623	9/10/1999	NPS PHARMA INC			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)			
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
		See sheet Nos. 4-5	

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EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	C1	"Information on ArthroTrim™ product", downloaded from Internet 8/30/02.	
	C2	"Information on Zyflamend and Zyflamend PM", downloaded from Internet 8/30/02.	
	C3	"Information on Hops and Beer Flavours", downloaded from internet 02/15/2005	
	C4	Anto, <i>et al.</i> Pharm. Pharmacol. Comm. 4:103-106 (1998)	
	C5	Bermejo, <i>et al.</i> Rev. Esp. Enferm. Dig. 95(9): 625-628 (2003)	
	C6	Brown, <i>et al.</i> J. Chem. Soc. 545 (1959)	
	C7	Byrne, <i>et al.</i> J. Chem. Soc. (c):2810-2813 (1971)	
	C8	Carroccio, <i>et al.</i> Clin. Chem. 49(6):861-867 (2003)	
	C9	Carson, J., Am. Chem. Soc. 73:1850-1851 (1951)	
	C10	Chandra, <i>et al.</i> Indian J. Medical Research 60(1):138-142 (1972)	
	C11	Charlier, <i>et al.</i> Eur. J. Med. Chem. 38:645-659 (2003)	
	C12	CHOU <i>et al.</i> Eur. J. Biochem. 115:207-216 (1981)	
	C13	Chou, <i>et al.</i> Adv enzyme regul 22:27-55 (1983)	
	C14	Chou, <i>et al.</i> J. Biol. Chem. 252(18):6438-6442 (1977)	
	C15	Chou, <i>et al.</i> J. Theor. Biol. 35:285-297 (1972)	
	C16	Chou, <i>et al.</i> Trends Pharm. Sci. 4:450-454 (1983)	
	C17	Chou, J. Theor. Biol. 59:253-276 (1976)	
	C18	Costa, <i>et al.</i> Digest. Liver Dis. 35:642-647 (2003)	
	C19	Davies, WL. Abstract - Fertiliser, Feeding Stuffs and Farm Supplies J. 11:694 (1926)	
	C20	Ding, <i>et al.</i> Biochem. Biophys. Res. Comm. 261:218-223 (1999)	
	C21	Friedman, <i>et al.</i> J Cutan Med. Surg. 6(5):449-459 (2002)	
	C22	Germany, "The Absolutely German Drink," contents of beer, 2004, 5 pages.	
	C23	Goldstein, <i>et al.</i> Am. J. Gastroenterol. 96(4):1019-1027 (2001)	
	C24	Halter, <i>et al.</i> Gut 49:443-453 (2001)	
	C25	Hamberg, <i>et al.</i> J. Bio. Chem. 246(22):6713-6721 (1971)	
	C26	Huang, <i>et al.</i> Cancer Res. 51:813-819 (1991)	
	C27	International Search Report for PCT/US02/19617	
	C28	International Search Report for PCT/US04/16043	
	C29	Jach, Przegl Dermatol. 65(4):379-381 (1978)	
	C30	Kanematsu, <i>et al.</i> J Bone Miner Res 12:1789-1796 (1997)	
	C31	Lopes, Curr. Med Res Opin. 8(3):145-149 (1982)	
	C32	Meling, <i>et al.</i> Scand. J. Gastroenterol. 31:339-344 (1996)	
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	C33	Noreen, <i>et al.</i> J. Nat. Prod <u>61</u> :2-7 (1998)	
	C34	Pairet, <i>et al.</i> Inflamm. Res <u>47</u> (2), s93-s101 (1998)	
	C35	Panglisch, monafsschrift fuer brauwissen schaft, 1990, 43(1), 4-16	
	C36	Pippa, <i>et al.</i> Scand. J. Gastroenterol. 32-35 (1989)	
	C37	Plewig, <i>et al.</i> J Invest. Dermatol. 65(6):532-536 (1975)	
	C38	Poullis, <i>et al.</i> J. Gastroenterol. Hepatol. <u>18</u> :756-762 (2003)	
	C39	Ringbom, <i>et al.</i> J. Nat Prod <u>61</u> :1212-1215 (1998)	
	C40	Røseth, Digest. Liver Dis. <u>35</u> :607-609 (2003)	
	C41	Schjerven, <i>et al.</i> Br. J. Dermatol. <u>149</u> :484-491 (2003)	
	C42	Shah, <i>et al.</i> Gut <u>48</u> :339-346 (2001)	
	C43	Shimamura, <i>et al.</i> Biochem. Biophys. Res. Comm. 289:220-224 (2001)	
	C44	Shureiqi, <i>et al.</i> Cancer Res. <u>61</u> :6307-6312 (2001)	
	C45	Sivri, Fundam. Clinic. Pharmacol. <u>18</u> :23-31 (2004)	
	C46	Subbaramaiah, <i>et al.</i> Cancer Res. <u>60</u> :2399-2404 (2000)	
	C47	Suh, <i>et al.</i> Cancer Res. <u>58</u> :717-723 (1988)	
	C48	Tagashira, <i>et al.</i> , Biosci. Biotech. Biochem. 59(4):740-742 (1996)	
	C49	Thomas m. Newmark and paul schulick, 'Beyond Aspirin nature's answer to arthritis, cancer & alzheimer's disease," hohm press (2000) release 7; pp. 147-151.	
	C50	Tibble, <i>et al.</i> Drugs Today <u>37</u> (2):85-96 (2001)	
	C51	Tibble, <i>et al.</i> Gut <u>45</u> :362-366 (1999)	
	C52	Tobe, <i>et al.</i> Biosci. Biotech. Biochem <u>61</u> (1):158-159 (1997)	
	C53	Wang, <i>et al.</i> Free Radical Biology & Medicine <u>27</u> (5/6):612-616 (1999)	
	C54	Warner, <i>et al.</i> Proc Natl Acad Sci USA <u>96</u> :7563-7568 (1999)	
	C55	Yamamoto, <i>et al.</i> Abstract - Prostaglandins & Other Lipid Mediators <u>59</u> :1-235 (1999)	
	C56	Yamamoto, FEBS Letters <u>465</u> :103-106 (2000)	
	C57	Yui, <i>et al.</i> Biol. Pharm. Bull. 26(6):753-760 (2003)	
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